

REMARKS

With this amendment, claims 1, 6, and 8 and the abstract have been amended. Claims 1-12 remain pending in the present application. Claims 13-20 have been withdrawn in connection with a previously entered restriction requirement. The Applicant has carefully and thoughtfully considered the Office Action and the comments therein. For the reasons given below, it is submitted that this application is in condition for allowance.

Objection to the Specification

In the Office Action on page 2, section 6, the abstract is objected to because of undue length. Applicant has amended the abstract to contain no more than 150 words and therefore respectfully requests that this objection be removed.

Claim Objections

In the Office Action on page 3, section 7, claims 1 and 8 are objected to for containing informalities. Applicant has amended these claims and respectfully requests this objection be removed.

Rejections under 35 USC § 112

In the Office Action on page 3, section 9, claim 6 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. It is respectfully submitted that amended claim 6 is not indefinite. In response to the Examiner's discussion, claim 6 has been amended to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. In particular, claim 6 has been amended to recite "converted data". Hence, amended claim 6 is not indefinite.

Rejections under 35 USC § 101

In the Office Action on pages 3 and 4, section 11, claims 1-12 are rejected under 35 U.S.C. § 101 as being directed toward non-statutory subject matter. Applicants respectfully disagree.

Claims 1-12 recite a “concrete, useful, and tangible result,” contrary to the assertion in the Office Action. As recited in independent claims 1, 8, 9, 11, and 12, “determining the key region” is a “concrete, useful, and tangible result” within the meaning of 35 U.S.C. § 101. As described in Applicant’s specification, the claimed invention is advantageous over previous, manual techniques of designating a range. See, e.g., Applicant’s Specification, page 1, line 9 to page 2, line 18. Therefore, claims 1-12 recite statutory subject matter.

Rejections under 35 USC § 103

1. On pages 4-6, the Action rejects claims 1, 4-5, and 8 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,012,087 to Freivald et al. (hereinafter Freivald ‘087) in view of U.S. Patent No. 6,092,091 to Sumita et al. (hereinafter Sumita). Applicants respectfully traverse the rejection.

As per amended claim 1, the Office Action fails to establish a prima facie case of obviousness because the combination of Freivald ‘087 in view of Sumita does not teach the claimed invention.

In particular, amended claim 1 recites “a key region determination section determining the key region from the plurality of regions included in said structured document based on the update frequency information.” As stated in the Office Action, Freivald ‘087 fails to teach, at least, a method wherein a key region determination section determines the key region based on the updated frequency information. Applicants agree. To overcome the failings of Freivald, the Office Action relies on the teachings Sumita. In particular, the Office Action aligns the recited the “key region determination section determining the key region from the plurality of regions included in said structured document based on the update frequency information” with the update predicting time unit of Sumita. Sumita, column 29, lines 17-35 and Figure 45. The combination postulated by the Office Action, however, fails to establish a prima facie case of obviousness for at least the following two reasons.

First, Sumita fails to teach or suggest “determining the key region” from a document that includes a plurality of regions, as recited in amended claim 1. A key region is illustrated in Applicant’s specification as, for example, a single region from a plurality of regions constituting the

frame page, as opposed to an entire frame page. Applicant's Specification, e.g., page 23, lines 4-14. In contrast, Sumita teaches "a method for filtering information, in which it is made possible to detect and present only documents created or updated to a user among a plurality of documents." Sumita, col. 4, line 67 and col. 5, lines 1-3. Sumita, therefore, teaches detecting and presenting entire documents, as opposed to a key region. In contrast, amended claim 1 requires "determining the key region." Freivald '087 fails to overcome the failings of Sumita. Hence, the combination of Freivald and Sumita fails to teach "determining the key region" from a document that includes a plurality of regions, as recited in amended claim 1.

Second, Sumita fails to teach or suggest "determining the key region from the plurality of regions included in said structured document based on the update frequency information" as recited in amended claim 1. In contrast, Sumita teaches "a method for filtering information, in which it is made possible to detect and present only documents created or updated to a user among a plurality of documents." Sumita, col. 4, line 67 and col. 5, lines 1-3. The documents that have been created or updated in Sumita are identified by an information monitoring unit in which an update predicting unit stores update times of documents. Sumita, col. 29, lines 10-16. The update predicting unit of Sumita then predicts when the next update is to be conducted, which is estimated based on the history of updated times. Sumita, col. 29, lines 17-21. An updated predicted time is then based on the highest frequency value in the past update times of the monitored document. Sumita, col. 29, lines 22-28 and Figs. 44 and 45. Sumita, therefore, teaches a way to predict when an entire document will be updated based on the history of update times for the entire document, as opposed to using the history of update times to determine a key region. Sumita, col. 29, lines 10-35 and Figs. 44 and 45. In contrast, amended claim 1 teach "determining the key region from the plurality of regions included in said structured document based on the update frequency information."

Freivald '087 fails to overcome the failings of Sumita. Hence, the combination of Freivald '087 and Sumita fails to teach "determining the key region from the plurality of regions included in said structured document based on the update frequency information" as recited in amended claim 1.

Independent claim 8 recites similar subject matter to that recited in amended claim 1, which is allowable over Freivald '087 and Sumita as discussed above. Therefore, claim 8 is allowable for the same reasons discussed above in connection with amended claim 1.

Dependent claims 4 and 5 are allowable, at least, for being dependent from allowable claims.

Applicants respectfully request withdrawal and reconsideration of the rejection of claims 1, 4, 5, and 8 under 35 U.S.C. § 103(a) as being unpatentable over Freivald '087 and in further view of Sumita.

2. On pages 6 and 7, the Office Action rejects claims 6 and 7 under 35 U.S.C. § 103(a) as being unpatentable over Freivald '087, in view of Sumita, and in further view of the Official Notice. Applicants respectfully traverse the rejection.

Claims 6 and 7 are dependent from claim 1, which is allowable over Freivald '087 and Sumita as discussed above. Additionally, the Official Notice, cited in the Office Action, fails to teach either "determining the key region" or "determining the key region from the plurality of regions included in said structured document based on the update frequency information" as recited in amended claim 1. Hence, claims 6 and 7 are allowable as being dependent from an allowable claim.

Applicants respectfully request withdrawal and reconsideration of the rejection of claims 6 and 7 under 35 U.S.C. § 103(a) as being unpatentable over Freivald '087, in view of Sumita, and in further view of the Official Notice.

3. On pages 7-13, the Office Action rejects claims 2, 3, 9, 11, and 12 under 35 U.S.C. § 103(a) as being unpatentable over Freivald '087, in view of Sumita, and in further view of U.S. Patent No.5,898,836 to Freivald et al. (hereinafter Freivald '836). Applicants respectfully traverse the rejection.

Claims 2 and 3 are dependent from claim 1, which is allowable over Freivald '087 and Sumita as discussed above. Additionally, Freivald '836, cited in the Office Action, fails to teach either "determining the key region" or "determining the key region from the plurality of regions included in said structured document based on the update frequency information" as recited in amended claim 1. Hence, claims 2 and 3 are allowable as being dependent from an allowable claim.

Independent claims 9, 11, and 12 recite similar subject matter to that recited in amended claim 1, which is allowable over Freivald '087 and Sumita as discussed above. Additionally,

Freivald '836, cited in the Office Action, fails to teach "a determination section determining that the region having a highest update frequency as the key region" as recited in claims 9, 11, and 12. Therefore, claims 9, 11, and 12 are allowable for the same reasons discussed above in connection with amended claim 1.

Applicants respectfully request withdrawal and reconsideration of the rejection of claims 2, 3, 9, 11, and 12 under 35 U.S.C. § 103(a) as being unpatentable over Freivald '087, in view of Sumita, and in further view of Freivald '836.

4. On page 14, the Office Action rejects claim 10 under 35 U.S.C. § 103(a) as being unpatentable over Freivald '087, in view of Sumita, in further view of Freivald '836, and in further view of the Official Notice. Applicants respectfully traverse the rejection.

Claim 10 depends from claim 9, which is allowable over Freivald '087, in view of Sumita, and in further view of '836, as discussed above. Additionally, the Official Notice, cited in the Office Action, fails to teach "a determination section determining that the region having a highest update frequency as the key region" as recited in claim 9. Hence, claim 10 is allowable as being dependent from an allowable claim.

Applicants respectfully request withdrawal and reconsideration of the rejection of claim 10 under 35 U.S.C. § 103(a) as being unpatentable over Freivald '087, in view of Sumita, in further view of Freivald '836, and in further view of the Official Notice.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is hereby invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,

Dated: March 29, 2007

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